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VIA ECF

Hon. John G. Koeltl
Daniel Patrick Moynihan
United States District Court
500 Pearl Street
New York, NY 10007-1312

1. Time to answer is extended
to June 26, 2021.

2. Conference adjourned for
4/22/21 to July 6, 2021 at 2³⁰ P.M.
April 21, 2021

so ordered.

Re: *M.T. v. NYC Dep't of Ed. et al.* 21-CV-682 (JGK) (KHP)

Dr. G. Koeltl

Dear Judge Koeltl:

4/21/21 U.S.D. 5

I am the Assistant Corporation Counsel with the New York City Law Department recently assigned to represent Defendant New York City Department of Education in the above-referenced action. I write to respectfully request a 60-day extension of Defendant's time to answer Plaintiffs' Complaint. This is Defendant's second request for such an extension. Plaintiffs' counsel consents to the request.

Plaintiff brought this action seeking to recover attorney's fees incurred in the course of administrative proceedings brought under the Individuals with Disabilities Education Act, 20 U.S.C. § 1400, *et seq.* and this action. Defendant's answer was initially due February 26, 2021. By letter motion, the deadline was extended to April 26, 2021. I now request that the answer due date be extended to June 26, 2021. An initial pretrial conference is scheduled for April 22, 2021. No extension of the conference date has been previously requested. I am requesting that the conference date be extended until an appropriate date after the answer is due. Plaintiff's counsel has consented to this request also.

I have conducted a review of the documents relating to the underlying administrative proceeding, as well as Plaintiffs' counsel's timesheets. Based on that review I requested settlement authority from the Comptroller of the City of New York on April 13, 2021. In my experience, the Comptroller's review is usually completed within two to three weeks of my request. In short, I anticipate being able to enter into settlement negotiations within two weeks, and am confident this matter can be settled without further Court intervention.

Accordingly, I respectfully request that the deadline for Defendant to file an answer to the Complaint be extended 60 days, from April 26, 2021 to June 26, 2021, and that the initial (telephonic) pretrial conference be adjourned from April 22, 2021 to a date and time convenient to the Court.

Thank you for your consideration.

Respectfully,

s/ William G. Rives

William G. Rives

Assistant Corporation Counsel

cc: Elisa Hyman, Esq. (via ECF)